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LETTER DATED 31 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government and with reference to our previous letters, the most recent of which was that dated 6 March 1998 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq (S/1998/207, annex), in which the Minister informed you that officials and personnel of the Special Commission had violated their signed undertakings to the United Nations by making statements and disseminating information obtained in the course of their work with the Special Commission, I regret to inform you that some Special Commission officials and personnel are persisting in this conduct in violation of the legal norms governing employment by the United Nations.

On 24 March 1998, The New York Times published an interview with Mr. Jonathan Tucker, a Special Commission inspector, and with other, unnamed inspectors. The interview provided information obtained by the latter in the course of their work with the Special Commission and gave their assessment and personal judgements concerning the status of Iraq's cooperation with the Special Commission, and it did so in a manner that manifestly distorts the facts.

Such recurrent behaviour on the part of certain officials and personnel of the Special Commission indicates serious defects in the application of the legal norms governing the work of United Nations officials, in particular those relating to the confidentiality of information and documents and to the impartiality of international civil servants. This requires legal measures to be taken against those who have violated their signed undertakings to the United Nations.

It would also be fitting for the United Nations to be more attentive to ensuring the impartiality of officials chosen to carry out certain special and sensitive tasks, in particular when, as in the case of the work of the Special Commission established pursuant to Security Council resolution 687 (1991), such tasks involve risks of abuse by certain persons for political purposes. We have noted that, most regrettably, it is Special Commission officials and personnel from particular countries who are violating the undertakings they have given to respect the confidentiality of information in order to serve the political objectives of the States of which they are nationals.

I should be grateful if you would have this letter circulated as a document of the Security Council. I would also ask you to circulate with it a copy of the undertaking signed by the staff and personnel associated with UNSCOM* to preserve the confidentiality of the information they may obtain during their work with UNSCOM.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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* For the text, see document S/1998/303.